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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/788,846	02/26/2004	James E. Thompson	100-P004US	6865	
7590 10/17/2005			EXAMINER		
Jeffrey L. Wen			UPTON, CHE	UPTON, CHRISTOPHER	
34 Driftoak Circle The Woodlands, TX 77381			ART UNIT	PAPER NUMBER	
			1724		

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)			
	10/788,846	THOMPSON, JAMES E.			
Office Action Summary	Examiner	Art Unit			
	Christopher Upton	1724			
The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet with the	correspondence address			
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory perion. - Failure to reply within the set or extended period for reply will, by stat Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNICATIO 1.136(a). In no event, however, may a reply be tin od will apply and will expire SIX (6) MONTHS from tute, cause the application to become ABANDONE	N. nely filed the mailing date of this communication. ED (35 U.S.C. § 133).			
Status					
1)⊠ Responsive to communication(s) filed on 09	August 2005 and 12 September 20	005.			
2a) This action is FINAL . 2b) ⊠ Th					
3) Since this application is in condition for allow	vance except for formal matters, pro	osecution as to the merits is			
closed in accordance with the practice unde	r <i>Ex parte Quayle</i> , 1935 C.D. 11, 4	53 O.G. 213.			
Disposition of Claims					
4) ☑ Claim(s) 1-20 is/are pending in the application 4a) Of the above claim(s) is/are withdress 5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) 1-9,11-14 and 16-19 is/are rejected. 7) ☑ Claim(s) 10,15 and 20 is/are objected to. 8) ☐ Claim(s) are subject to restriction and	rawn from consideration.	•			
Application Papers					
9) ☐ The specification is objected to by the Examin 10) ☑ The drawing(s) filed on 12 September 2005 is Applicant may not request that any objection to the Replacement drawing sheet(s) including the correction. The oath or declaration is objected to by the	s/are: a)⊠ accepted or b)□ object ne drawing(s) be held in abeyance. Se ection is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the priority docume application from the International Bure * See the attached detailed Office action for a list	nts have been received. nts have been received in Applicati iority documents have been receive au (PCT Rule 17.2(a)).	on No ed in this National Stage			
Attachment(s) 1) Notice of References Cited (PTO-892)	4) Interview Summary	(PTO-413)			
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date	Paper No(s)/Mail Di				

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1. Applicant's election without traverse of Species I in the reply filed on August 9, 2005 is acknowledged. However, upon reconsideration, the restriction requirement is withdrawn.

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2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1, 4-6, 11-13, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Norcross or Dennis.

Norcross and Dennis each disclose decanters in reactor tanks having discharge conduits with flexible portions having stabilizing arms, in the form of pivotal links (46 in Dennis, 36 in Norcross), which form means to limit the lateral movement of the decanter, as claimed. With respect to claim 11, it is submitted that the flexible portions with links form hinges, as claimed. With respect to claims 5, 6, 12 and 13, it is submitted that the links comprise both fixed and moveable connections.

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4. Claims 9, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norcross or Dennis.

Claims 9, 14 and 19 recite a plurality of stabilizer arms. While only one is shown, it is submitted that one of ordinary skill in the art would obviously place the links on both sides of the conduit, to strengthen the joint.

5. Claims 1-4, 7, 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Brauchli.

Brauchli discloses a decanter in a reactor tank having a discharge conduit which passes through one arm (15), and with a second stabilizing arm (16), which provides lateral stability, (see column 5, lines 39-55), as claimed. With respect to claims 3 and 4, it is submitted that the discharge conduit comprises both flexible and hinged, rigid sections.

6. Claims 1-3, 7, 9, 16, 17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Glasgow.

Glasgow discloses a decanter in a reactor tank having a hinged discharge conduit (100) and a pair of stabilizing arms (102), as claimed.

7. Claims 1, 4, 8 and 9 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Astrom or Christie.

Astrom and Christie each disclose decanters with flexible discharge conduits within a reactor tank, with plural stabilizing members moveably engaging posts in the reactor tank. Since the posts must be fixed to the tank for the device to operate, it is

submitted that the posts may therefore obviously be considered a part of the reactor, and therefore disclose the invention as claimed.

8. Claims 10, 15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The recitation of a decanter mooring system in a reactor having a decanter, and a pair of stabilizing arms, each of which has one end connected to the reactor and wherein one arm is connected to the decanter and the second is connected to the discharge conduit patentably distinguishes over the prior art of record.

- 9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Other references of interest include Molinier, Muller and Paulson.
- 10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Upton whose telephone number is 571-272-1169. The examiner can normally be reached on 7:30-5:00, off every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Christopher Upton Primary Examiner Art Unit 1724